

# Senate Amendment 3317

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1 1 Amend Senate File 453 as follows:  
1 2 #1. Page 5, line 31, by inserting after the figure  
1 3 <80B.11E> the following: .  
1 4 #2. Page 6, line 1, by inserting after the word  
1 5 the following: 1 6 sponsored by a law enforcement agency that either  
1 7 intends to hire or has hired the individual as a law  
1 8 enforcement officer>.  
1 9 #3. Page 6, by inserting after line 17 the  
1 10 following:  
1 11 <4. An individual who has not been hired by a law  
1 12 enforcement agency must be hired by a law enforcement  
1 13 agency within eighteen months of completing the  
1 14 appropriate coursework at the law enforcement academy  
1 15 in order to obtain certification pursuant to this  
1 16 section.>  
1 17 #4. Page 6, line 19, by striking the word  
1 18 .  
1 19 #5. Page 6, by striking lines 20 through 34.  
1 20 #6. By striking page 7, line 8 through page 9,  
1 21 line 22 and inserting the following:  
1 22  
1 23 INDEBTEDNESS REPORTING == COLLECTION OF TAXES  
1 24 Sec. \_\_\_\_\_. Section 403.23, subsection 1, Code 2003,  
1 25 is amended by striking the subsection and inserting in  
1 26 lieu thereof the following:  
1 27 1. On or before December 1 of each odd-numbered  
1 28 year, each municipality that has established an urban  
1 29 renewal area shall report to the department of  
1 30 management and to the appropriate county auditor the  
1 31 total amount of loans, advances, indebtedness, or  
1 32 bonds outstanding at the close of the most recently  
1 33 ended fiscal year, which qualify for payment from the  
1 34 special fund created in section 403.19, including  
1 35 interest negotiated on such loans, advances,  
1 36 indebtedness, or bonds. For purposes of this  
1 37 subsection, "indebtedness" includes written agreements  
1 38 whereby the municipality agrees to suspend, abate,  
1 39 exempt, rebate, refund, or reimburse property taxes,  
1 40 or provide a grant for property taxes paid, with  
1 41 moneys in the special fund. The amount of loans,  
1 42 advances, indebtedness, or bonds shall be listed in  
1 43 the aggregate for each municipality reporting.  
1 44 Sec. \_\_\_\_\_. Section 403.23, subsections 2 and 3,  
1 45 Code 2003, are amended to read as follows:  
1 46 2. At the request of the legislative fiscal  
1 47 bureau, the department of management shall provide the  
1 48 reports and additional information to the legislative  
1 49 fiscal bureau. The department of management, in  
1 50 consultation with the legislative fiscal bureau, shall  
2 1 determine reporting criteria and shall prepare a form  
2 2 for reports filed with the department pursuant to this  
2 3 section. The department shall make the form available  
2 4 by electronic means.  
2 5 3. If a municipality does not file the ~~annual~~  
2 6 report with the department of management and the  
2 7 county auditor by December 1 of each odd-numbered  
2 8 year, the county treasurer shall withhold disbursement  
2 9 of incremental taxes to the municipality until the  
2 10 ~~annual~~ report is filed beginning immediately with the  
2 11 next following disbursement of taxes. The county  
2 12 auditor shall notify the county treasurer if taxes are  
2 13 to be withheld.  
2 14 Sec. \_\_\_\_\_. Section 631.1, Code 2003, is amended by  
2 15 adding the following new subsection:  
2 16 NEW SUBSECTION. 7. The district court sitting in  
2 17 small claims has concurrent jurisdiction of an action  
2 18 for the collection of taxes brought by a county  
2 19 treasurer pursuant to sections 445.3 and 445.4 where  
2 20 the amount in controversy is five thousand dollars or  
2 21 less for actions commenced on or after July 1, 2003,  
2 22 exclusive of interest and costs.>  
2 23 #7. By striking page 9, line 23, through page 11,  
2 24 line 7, and inserting the following:  
2 25

2 26 MUNICIPAL AND COUNTY INFRACTIONS  
2 27 Sec. \_\_\_\_\_. Section 331.302, subsection 15, Code  
2 28 2003, is amended to read as follows:  
2 29 15. A county shall not provide a civil penalty in  
2 30 excess of ~~five~~ seven hundred ~~fifty~~ dollars for the  
2 31 violation of an ordinance which is classified as a  
2 32 county infraction or if the infraction is a repeat  
2 33 offense, a civil penalty not to exceed ~~seven hundred~~  
2 34 ~~fifty one thousand~~ dollars for each repeat offense. A  
2 35 county infraction is not punishable by imprisonment.  
2 36 Sec. \_\_\_\_\_. Section 331.307, subsection 1, Code  
2 37 2003, is amended to read as follows:  
2 38 1. A county infraction is a civil offense  
2 39 punishable by a civil penalty of not more than ~~five~~  
2 40 seven hundred ~~fifty~~ dollars for each violation or if  
2 41 the infraction is a repeat offense a civil penalty not  
2 42 to exceed ~~seven hundred fifty one thousand~~ dollars for  
2 43 each repeat offense.  
2 44 Sec. \_\_\_\_\_. Section 364.3, subsection 6, Code 2003,  
2 45 is amended to read as follows:  
2 46 6. A city shall not provide a civil penalty in  
2 47 excess of ~~five~~ seven hundred ~~fifty~~ dollars for the  
2 48 violation of an ordinance which is classified as a  
2 49 municipal infraction or if the infraction is a repeat  
2 50 offense, a civil penalty not to exceed ~~seven hundred~~  
3 1 ~~fifty one thousand~~ dollars for each repeat offense. A  
3 2 municipal infraction is not punishable by  
3 3 imprisonment.  
3 4 Sec. \_\_\_\_\_. Section 364.22, subsection 1, unnumbered  
3 5 paragraph 1, Code 2003, is amended to read as follows:  
3 6 A municipal infraction is a civil offense  
3 7 punishable by a civil penalty of not more than ~~five~~  
3 8 seven hundred ~~fifty~~ dollars for each violation or if  
3 9 the infraction is a repeat offense, a civil penalty  
3 10 not to exceed ~~seven hundred fifty one thousand~~ dollars  
3 11 for each repeat offense. However, notwithstanding  
3 12 section 364.3, a municipal infraction arising from  
3 13 noncompliance with a pretreatment standard or  
3 14 requirement, referred to in 40 C.F.R. } 403.8, by an  
3 15 industrial user may be punishable by a civil penalty  
3 16 of not more than one thousand dollars for each day a  
3 17 violation exists or continues.>  
3 18 #8. By striking page 11, line 12 through page 12,  
3 19 line 17 and inserting the following:  
3 20 <1. For the fiscal year beginning July 1, 2003,  
3 21 and ending June 30, 2004, the recorder shall collect a  
3 22 fee of five dollars for each recorded transaction for  
3 23 which a fee is paid pursuant to section 331.604 to be  
3 24 used for the purposes of planning and implementing  
3 25 electronic recording and electronic transactions in  
3 26 each county and developing county and statewide  
3 27 internet websites to provide electronic access to  
3 28 records and information.  
3 29 2. Beginning July 1, 2004, the recorder shall  
3 30 collect a fee of one dollar for each recorded  
3 31 transaction for which a fee is paid pursuant to  
3 32 section 331.604 to be used for the purpose of paying  
3 33 the county's ongoing costs of maintaining the systems  
3 34 developed and implemented under subsection 1.  
3 35 3. The county treasurer, on behalf of the  
3 36 recorder, shall establish and maintain an interest=  
3 37 bearing account into which all moneys collected  
3 38 pursuant to subsections 1 and 2 shall be deposited.  
3 39 4. The state government electronic transaction  
3 40 fund is established in the office of the treasurer of  
3 41 state under the control of the treasurer of state.  
3 42 Moneys deposited into the fund are not subject to  
3 43 section 8.33. Notwithstanding section 12C.7, interest  
3 44 or earnings on moneys in the state government  
3 45 electronic transaction fund shall be credited to the  
3 46 fund. Moneys in the state government electronic  
3 47 transaction fund are not subject to transfer,  
3 48 appropriation, or reversion to any other fund, or any  
3 49 other use except as provided in this subsection. The  
3 50 treasurer of state shall enter into a contract with  
4 1 the Iowa state association of counties affiliate  
4 2 representing county recorders to develop, implement,  
4 3 and maintain a statewide internet website for purposes  
4 4 of providing electronic access to records and  
4 5 information recorded or filed by county recorders. On  
4 6 a monthly basis, the county treasurer shall pay one

4 7 dollar of each fee collected pursuant to subsection 1  
4 8 to the treasurer of state for deposit into the state  
4 9 government electronic transaction fund. Moneys  
4 10 credited to the state government electronic  
4 11 transaction fund are appropriated to the treasurer of  
4 12 state to be used for contract costs. This subsection  
4 13 is repealed June 30, 2004.  
4 14 5. The pooled local government electronic  
4 15 transaction fund is established in the office of the  
4 16 treasurer of state under control of the treasurer of  
4 17 state. Moneys deposited into the fund are not subject  
4 18 to section 8.33. Notwithstanding section 12C.7,  
4 19 interest or earnings on moneys in the pooled local  
4 20 government electronic transaction fund shall be  
4 21 credited to the fund. Moneys in the fund are not  
4 22 subject to transfer, appropriation, or reversion to  
4 23 any other fund, or any other use except as provided in  
4 24 this subsection. On a quarterly basis, the county  
4 25 treasurer shall pay four dollars of each fee collected  
4 26 pursuant to subsection 1 and all fees collected  
4 27 pursuant to subsection 2, to the treasurer of state  
4 28 for deposit into the pooled local government  
4 29 electronic transaction fund. Moneys credited to the  
4 30 pooled local government electronic transaction fund  
4 31 are appropriated to the treasurer of state to be  
4 32 distributed equally to all counties and paid to the  
4 33 county treasurers of each county within thirty days  
4 34 after the moneys are received by the treasurer of  
4 35 state. Moneys received by a county treasurer pursuant  
4 36 to this subsection shall be deposited into the account  
4 37 established and maintained by the county treasurer on  
4 38 behalf of the county recorder under subsection 3, and  
4 39 shall be used by the county recorder for the purposes  
4 40 set forth in subsections 1 and 2.

4 41 6. The recorder shall make available any  
4 42 information required by the county auditor or auditor  
4 43 of state concerning the fees collected under this  
4 44 section for the purposes of determining the amount of  
4 45 fees collected and the uses for which such fees are  
4 46 expended.>

4 47 #9. Page 14, by inserting before line 32 the  
4 48 following:

4 49  
4 50 STUDY OF CITY AND COUNTY REGULATION BY THE  
4 51 DEPARTMENT OF NATURAL RESOURCES  
4 52 Sec. \_\_\_\_\_. STUDY. The legislative council shall  
4 53 establish a study committee for the 2003 interim to  
4 54 review the department of natural resources'  
4 55 enforcement and penalty policies relating to  
4 56 regulation of cities and counties. The study  
4 57 committee shall review options for changing the  
4 58 department's approach to enforcement from reliance on  
4 59 punitive measures to a collaborative approach. In  
4 60 addition, the amounts of fines shall be reviewed along  
4 61 with the possibility of designating a portion of a  
4 62 fine to be applied against the costs of compliance  
4 63 with the departmental regulation.>

4 64 #10. Page 15, line 16, by striking the word  
4 65 and inserting the following: <==STUDY>.

4 66 #11. Page 15, by striking line 30 and inserting  
4 67 the following:

4 68 <2. The legislative council shall authorize a  
4 69 study for>.

4 70 #12. Page 16, by striking lines 3 through 5 and  
4 71 inserting the following: 5 22 recommendations, shall be submitted to the general  
4 72 assembly for consideration during the 2004 legislative  
4 73 session. The study shall be>.

4 74 #13. Page 16, by striking lines 7 and 8 and  
4 75 inserting the following: 5 27 the state board of regents, one member representing  
4 76 the department of>.

4 77 #14. Page 16, line 18, by inserting after the word  
4 78 the following: 5 31 cochairpersons shall be designated by the legislative  
4 79 council.>

4 80 #15. Page 17, by inserting after line 21 the  
4 81 following:

4 82 5 36 the payment of bonuses to employees of the charter  
4 83 agency in a total amount not in excess of fifty  
4 84 percent of the director's annual rate of pay, based  
4 85 upon the director's evaluation of the employees'  
4 86 performance.>

4 87 #16. Page 18, by inserting after line 2 the

5 42 following:  
5 43 5 44 and ending June 30, 2005, a charter agency is not  
5 45 subject to a uniform reduction ordered by the governor  
5 46 in accordance with section 8.31.>  
5 47 #17. Page 23, by inserting after line 2 the  
5 48 following:  
5 49 <\_\_\_\_. For the fiscal year beginning July 1, 2003,  
5 50 and ending June 30, 2004, if the actual amount of  
6 1 revenue received by a charter agency exceeds the  
6 2 revenue amount budgeted for that charter agency by the  
6 3 governor and the general assembly, the charter agency  
6 4 may consider the excess amount to be repayment  
6 5 receipts as defined in section 8.2.>  
6 6 #18. Page 24, by inserting after line 27 the  
6 7 following:  
6 8 <\_\_\_\_. A person who is a private provider of  
6 9 special education services.  
6 10 \_\_\_\_\_. An administrator of an accredited nonpublic  
6 11 school.>  
6 12 #19. Page 27, line 9, by striking the word  
6 13 and inserting the following: .  
6 14 #20. Page 27, line 12, by inserting after the word  
6 15 the following: .  
6 16 #21. Page 27, by striking line 21.  
6 17 #22. Page 27, by striking line 26 and inserting  
6 18 the following:  
6 19 #23. Page 27, line 32, by striking the word  
6 20 and inserting the following:  
6 21 .  
6 22 #24. Page 28, by inserting after line 2 the  
6 23 following:  
6 24 6 25 juvenile crime.  
6 26 e. Accountability. Communities are made whole  
6 27 through completion of community service activities  
6 28 assigned to juvenile offenders.  
6 29 f. Rehabilitation. Youth receive appropriate  
6 30 services and make measurable progress toward acquiring  
6 31 the skills that are essential to law-abiding,  
6 32 productive citizens.>  
6 33 #25. Page 28, line 9, by inserting after the  
6 34 figure <232> the following: 6 35 committed a delinquent act and identified in a police  
6 36 report or other formal complaint received by juvenile  
6 37 court services>.  
6 38 #26. Page 28, line 11, by inserting after the  
6 39 figure <232> the following: 6 40 care under section 232.20 or 232.21.>  
6 41 #27. Page 28, line 19, by striking the word  
6 42 and inserting the following: 6 43 welfare staff and the state institutions>.  
6 44 #28. Page 28, line 22, by inserting after the word  
6 45 the following: 6 46 services and other support based upon the needs of  
6 47 children and families>.  
6 48 #29. Page 28, line 29, by inserting after the word  
6 49 the following: 6 50 program and budget accountability expectations, with  
7 1 appropriate recognition of the need to balance the  
7 2 impact upon service providers>.  
7 3 #30. Page 28, line 31, by inserting after the word  
7 4 the following: 7 5 systems, training,>.  
7 6 #31. Page 29, line 2, by striking the word  
7 7 and inserting the following:  
7 8 7 9 the department, and service providers. The redesign  
7 10 shall build upon successful Iowa programs such as  
7 11 community partnerships for protecting children, child  
7 12 welfare funding decategorization projects, and quality  
7 13 service reviews.>  
7 14 #32. Page 29, by inserting after line 16 the  
7 15 following:  
7 16 7 17 continuous learning practices are promoted in the  
7 18 public and private sectors in order to measure and  
7 19 improve outcomes.>  
7 20 #33. Page 30, by striking lines 12 and 13 and  
7 21 inserting the following:  
7 22 7 23 begin no later than January 1, 2004.>  
7 24 #34. Page 32, by inserting after line 18 the  
7 25 following:  
7 26 \_\_\_\_\_. Section 2C.9, Code 2003, is amended by  
7 27 adding the following new subsection:  
7 28 NEW SUBSECTION. 1A. Investigate, on complaint or  
7 29 on the citizens' aide's own motion, any administrative  
7 30 action of any person providing child welfare or  
7 31 juvenile justice services under contract with an  
7 32 agency that is subject to investigation by the  
7 33 citizens' aide. The person shall be considered to be

7 34 an agency for purposes of the citizens' aide's  
 7 35 investigation.>  
 7 36 #35. Page 33, by inserting after line 16 the  
 7 37 following:  
 7 38 \_\_\_\_\_. MEDICAL ASSISTANCE PROGRAM REDESIGN.  
 7 39 1. The department of human services shall  
 7 40 establish a work group in cooperation with  
 7 41 representatives of the insurance industry to develop a  
 7 42 plan for the redesign of the medical assistance  
 7 43 program. In developing the redesign plan, the work  
 7 44 group shall consider all of the following:  
 7 45 a. Iowa's medical assistance program cannot be  
 7 46 sustained in a manner that provides care for  
 7 47 participants at the current rate of growth.  
 7 48 b. Iowans deserve a health care safety net that  
 7 49 provides health care that is timely, effective, and  
 7 50 responsive to individual needs.  
 8 1 c. Iowans would be better served, at a lower cost  
 8 2 to taxpayers, if persons who are at risk of becoming  
 8 3 medical assistance recipients due to their income,  
 8 4 health, and insurance status could be identified and  
 8 5 insured.  
 8 6 d. Iowa's children and families would benefit from  
 8 7 the use of a medical home model that links children  
 8 8 and families to an ongoing source of medical care that  
 8 9 ensures access to and appropriate utilization of  
 8 10 medical services including preventive services.  
 8 11 e. Iowa's senior population should have more  
 8 12 options available to address the population's health  
 8 13 care needs including home and community-based services  
 8 14 and assisted living.  
 8 15 2. The redesign plan shall include measures such  
 8 16 as providing state funding for health care spending  
 8 17 accounts for families in the medical assistance  
 8 18 program in order to provide incentives for effective  
 8 19 health care cost management, providing an insurance=  
 8 20 like benefit package for those individuals with  
 8 21 extensive medical needs that emphasizes flexible and  
 8 22 preventive care through case management, moving to an  
 8 23 acuity-based reimbursement system for dually eligible  
 8 24 seniors, and developing an evidence-based  
 8 25 pharmaceutical program.  
 8 26 3. The department shall submit a progress report  
 8 27 of the work group's recommendations for medical  
 8 28 assistance program redesign to the governor and the  
 8 29 general assembly by January 15, 2004.>  
 8 30 #36. Page 34, by inserting after line 23 the  
 8 31 following:  
 8 32 \_\_\_\_\_. NEW SECTION. 249A.32 PHARMACEUTICAL  
 8 33 SETTLEMENT ACCOUNT == MEDICAL ASSISTANCE PROGRAM.  
 8 34 1. A pharmaceutical settlement account is created  
 8 35 in the state treasury under the authority of the  
 8 36 department of human services. Moneys received from  
 8 37 settlements relating to provision of pharmaceuticals  
 8 38 under the medical assistance program shall be  
 8 39 deposited in the account.  
 8 40 2. Moneys in the account shall be used only as  
 8 41 provided in appropriations from the account to the  
 8 42 department for the purpose of technology upgrades  
 8 43 under the medical assistance program.  
 8 44 3. The account shall be separate from the general  
 8 45 fund of the state and shall not be considered part of  
 8 46 the general fund of the state. The moneys in the  
 8 47 account shall not be considered revenue of the state,  
 8 48 but rather shall be funds of the account. The moneys  
 8 49 in the account are not subject to reversion to the  
 8 50 general fund of the state under section 8.33 and shall  
 9 1 not be transferred, used, obligated, appropriated, or  
 9 2 otherwise encumbered, except to provide for the  
 9 3 purposes of this section. Notwithstanding section  
 9 4 12C.7, subsection 2, interest or earnings on moneys  
 9 5 deposited in the account shall be credited to the  
 9 6 account.  
 9 7 4. The treasurer of state shall provide a  
 9 8 quarterly report of account activities and balances to  
 9 9 the director.>  
 9 10 #37. Page 36, line 30, by inserting after the  
 9 11 figure <2003.> the following: 9 12 institutions referred to in section 218.1,  
 subsections  
 9 13 7 and 8, shall include funds to access services from  
 9 14 the area education agency in the manner in which the

9 15 services were accessed from the area education agency  
9 16 in the fiscal year beginning July 1, 2002.>  
9 17 [#38](#). Page 37, by inserting after line 5 the  
9 18 following:  
9 19  
9 20 REINVENTION INVESTMENT  
9 21 Sec. \_\_\_\_\_. DEPARTMENT OF MANAGEMENT. There is  
9 22 appropriated from the general fund of the state to the  
9 23 department of management for the fiscal year beginning  
9 24 July 1, 2003, and ending June 30, 2004, the following  
9 25 amount, or so much thereof as is necessary, to be used  
9 26 for the purpose designated:  
9 27 For investment in reinvention initiatives intended  
9 28 to produce ongoing savings, in addition to funds  
9 29 appropriated for this purpose in 2003 Iowa Acts, House  
9 30 File 655, section 11, subsection 3, if enacted:  
9 31  
9 32 ..... \$ 1,350,000>  
9 33 [#39](#). Title page, line 3, by inserting after the  
9 34 word the following: 9 35 penalties,>.  
9 36 [#40](#). By renumbering as necessary.  
9 37  
9 38  
9 39  
9 40 JEFF LAMBERTI  
9 41 SF 453.308 80  
9 42 jp/cf